

REMARKS

This Amendment and Response is in response to the Office Action dated April 11, 2007, in which the Examiner:

(i) rejected claims 1-2 and 9 under 35 USC §102(b) as being anticipated by Siemens (CH 457,623) ("Siemens") or Zimmerman (DE 1298422) ("Zimmerman"), and

(ii) rejected claims 1-12 under 35 USC §103(a) as being unpatentable over Hess et al. (US Pat. No. 4,580,200) ("Hess") in view of Hornung et al. (US Pat. No. 6,210,026) ("Hornung").

Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action and, when coupled with the amendments made herein, are believed to render all claims at issue patentably distinguishable over the cited references.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1-2 and 9 under 35 USC §102(b) as being anticipated by Siemens or Zimmerman. Applicants respectfully traverse such rejections as set forth below.

Applicants have amended independent claims 1 and 9 above to clarify that the "fastening element" for attaching the light apparatus to the ceiling plate comprises locking hooks and spring pins. This amendment was made only for clarification purposes.

The Siemens reference is directed to a light with a bulb housing. Applicants respectfully submit that the Siemens reference fails to discuss, disclose or suggest "a plurality of locking hooks (15)" as provided for by claims 1-2 and 9. The present invention describes and claims these "locking hooks" as anchoring the ceiling light apparatus to the ceiling plate. The Siemens reference fails to illustrate or discuss any such locking hooks and, in fact, fails to discuss, disclose or illustrate any mechanism for attaching the light housing to any part. Therefore, Applicants respectfully submit that the Siemens reference fails to anticipate any of the pending claims. Furthermore, the Siemens reference lacks any

description or illustration of "a bottom part comprising a frame with connecting cross ribs having a V-shaped cross-sectional profile" as provided for by claim 2. The Siemens reference illustrates and describes a light permeable plastic cover (element 32 or 22), but omits any mention of a frame and cross rib construction. For this additional reason, the Siemens reference fails to anticipate claim 2 above.

The Zimmerman reference is directed to a signal light apparatus. Applicants respectfully submit that the Zimmerman reference fails to discuss, disclose or suggest "a plurality of locking hooks (15)" as provided for by claims 1-2 and 9. Zimmerman, like Siemens discussed above, fails to illustrate or discuss any mechanism for attaching the light housing to any part. Consequently, no special construction like "locking hooks" or "spring pins" is included in the apparatus of Zimmerman for attaching the light apparatus to a ceiling plate, as claimed in the present application. Furthermore, Zimmerman lacks any description or illustration of "a bottom part comprising a frame with connecting cross ribs having a V-shaped cross-sectional profile" as provided for by claim 2. Zimmerman illustrates and describes a light permeable plastic cover (element 32 or 22), but omits any mention of a frame and cross rib construction. For this additional reason, the Zimmerman reference fails to anticipate claim 2 above.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1-12 under 35 USC §103(a) as being unpatentable over Hess in view of Hornung. Applicants respectfully traverse such rejections as set forth below.

Applicants have amended independent claims 1 and 9 above to clarify that the "fastening element" for attaching the light apparatus to the ceiling plate comprises locking hooks and spring pins. This amendment was made only for clarification purposes.

The Examiner contends that the Hess reference discloses each and every element of claims 1-12 except for the one-piece construction limitation, for which the Hornung reference is cited (See pp. 3-5 of the Office Action). Applicants respectfully disagree, and submit that neither Hess nor Hornung, whether alone or in combination, render independent claims 1 and 9 unpatentable. As discussed above, the present invention describes and claims a plurality of "locking hooks" for anchoring the ceiling light

apparatus to the ceiling plate. Neither Hess nor Hornung discuss, describe or illustrate a plurality of locking hooks and spring pins as provided for by the claims.

The Hess reference, similar to the Siemens and Zimmerman references above, fails to illustrate or discuss any mechanism for attaching the light housing to any part. The construction of the Hess lighting fixture fails to include any mention of locking hooks or spring pins as provided for by the claims of the present invention.

While the description and illustrations are poorly crafted and unclear, the Hornung reference appears to disclose a complex pivoting mechanism for attaching its light housing to an "installation opening" (See Hornung, col. 3, lines 20-30). What is clear, however, is the Hornung fails to teach the "plurality of locking hooks (15) for anchoring in a recess (16) adapted to the top part (1) in the ceiling plate (17) by means of spring pins (18) that can be elastically compressed" limitation of claim 1 and the "plurality of locking hooks (15), said locking hooks comprising spring pins (18) that are capable of being pressed together elastically and anchoring the top part in a recess (16) in a ceiling plate (17) adapted to the top part (1)" limitation of claim 9. The construction of the Hornung lighting housing fails to include any mention of locking hooks or spring pins as provided for by the claims of the present invention.

Applicants also respectfully disagree with the Examiner's contention that the Hess and Hornung references are combinable. Hess is not combinable with Hornung since Hess specifically teaches away from such a combination. See Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281, 227 U.S.P.Q. 657 (Fed. Cir. 1985) ("To combine references (A) and (B) properly to reach the conclusion that the subject matter of a patent would have been obvious, case law requires that there must be some teaching, suggestion, or inference in either reference (A) or (B), or both, or knowledge generally available to one of ordinary skill in the relevant art that would lead one skilled in the art to combine the relevant teachings of references (A) and (B). Consideration must be given to teachings in the references that would have led one skilled in the art away from the claimed invention. A claim cannot properly be used as a blueprint for extracting individual teachings from references."). While both references relate to light

housings, the references cannot be combined because Hess specifically teaches away from the teachings of a one-piece construction. In the "Summary of the Invention" section, Hess states:

Another feature of the invention is that the body and/or said diffuser have an open profile. This allows the light fixtures to be stored and transported disassembled with the most cumbersome parts packed one inside the other. The end pieces contain a portion which fits between the body and the diffuser whose profile is matched to that of the two parts and which carries a weather-proof seal against which the body and the diffuser rest. **Such an arrangement allows the diffuser to be separated from the body of the fixture and so to open and close in after assembly.** The end pieces carry the lamp sockets and optionally, a starter device. The fluorescent lamp ballast inductance will be attached in the top of the body. (Emphasis added)

In this section, the Hess reference describes its two-piece construction as one of the main advantages over the prior art. To combine Hornung's one-piece construction with Hess would frustrate one of the main purposes of Hess, i.e., the two-piece construction allows disassembly and easier storage and transportation.

The discussion above has been limited to the limitations of independent claims 1 and 9. Because the independent claims are allowable, all claims depending therefrom should also be allowable. Nonetheless, Applicants respectfully submit that the dependent claims are allowable for reasons in addition to the reasons for the independent claims. Specifically, claim 2 is allowable over the prior art because neither Hess nor Hornung discuss, disclose or illustrate "a bottom part comprising a frame with connecting cross ribs having a V-shaped cross-sectional profile" as provided for by this claim. Further, claims 4, 7, 10 and 12 are allowable over the prior art because neither Hess nor Hornung discuss, disclose or illustrate "an attachment plug (20) and an attachment socket (21), said attachment plug and attachment socket being capable of being connected electrically with a corresponding plug and socket of a second ceiling light apparatus" as provided for by these claims.

New Claims

Applicants have added new claim 13, dependent on previously presented claim 9, to further define the scope of the invention. Applicants respectfully request that the Examiner allow this new claim 13 for the reasons above.

Conclusion

In light of the above remarks, it is respectfully submitted that Applicants have responded in a fully satisfactory manner to all matters at issue in this Application, and that this Application is now in condition for allowance. In this regard, Applicants have made every effort to comply with the requirements set forth in the Office Action as well as the statutory requirements. Accordingly, Applicants respectfully request that the Examiner allow the pending claims and pass the Application to issue. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at (248) 433-7570.

Applicants believe there are no fees due for this document, however if any fees are due, the Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061 in the name of Dickinson Wright PLLC.

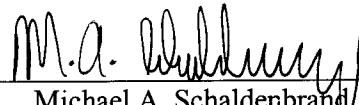
Prompt and favorable consideration of this response is respectfully requested.

Respectfully Submitted,

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